

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

FINJAN SOFTWARE, LTD., an Israel)	
corporation,)	
)	
Plaintiff-counterdefendant,)	C. A. No. 06-369 GMS
)	
v.)	
)	
SECURE COMPUTING CORPORATION, a)	DEMAND FOR JURY TRIAL
Delaware corporation; CYBERGUARD)	
CORPORATION, a Delaware corporation,)	
WEBWASHER AG, a German corporation)	
and DOES 1 THROUGH 100,)	
)	
Defendants-counterclaimants)	

**SECURE COMPUTING CORPORATION'S' REPLY TO FINJAN SOFTWARE, INC.'S
CLAIMS FOR DECLARATORY JUDGMENT**

Secure Computing Corporation ("Secure Computing") responds to the declaratory judgment actions set forth by Finjan Software, Inc. ("Finjan USA") in its Causes of Action Arising From Counterclaims ("Causes of Action"), dated September 27, 2007, as follows:

GENERAL DENIAL

Secure Computing denies each and every allegation, matter or thing contained in the Causes of Action which is not expressly admitted, qualified or answered herein.

FINJAN USA's CAUSES OF ACTION ARISING FROM COUNTERCLAIMS

1. Secure Computing admits that in Paragraph 12 of the Causes of Action Finjan USA incorporates by reference the allegations made in Paragraphs 1 through 11 of the September 27, 2007 Reply to Counterclaims and Paragraphs 1 through 25 of Finjan Software, Ltd.'s April 5, 2007 Amended Complaint for Patent Infringement and in response to Paragraph 12 of the Causes of Action, Secure Computing restates and incorporates by reference its answers

to Paragraphs 1 through 25 of Finjan Software, Ltd.'s Amended Complaint for Patent Infringement and denies any allegation not expressly admitted.

2. Secure Computing admits that Secure Computing owns the '361 patent and claims that Finjan USA infringes the '361 patent and that there is an actual controversy between Secure Computing and Finjan USA. Secure Computing denies any and all other allegations of paragraph 13 of the Causes of Action.

3. Secure Computing denies the allegations of paragraph 14 of the Causes of Action.

4. Secure Computing denies the allegations of paragraph 15 of the Causes of Action.

5. Secure Computing denies the allegations of paragraph 16 of the Causes of Action.

6. Secure Computing denies the allegations of paragraph 17 of the Causes of Action.

7. Secure Computing denies the allegations of paragraph 18 of the Causes of Action.

8. Secure Computing admits that in Paragraph 19 of the Causes of Action Finjan USA incorporates by reference the allegations made in Paragraphs 1 through 18 of the September 27, 2007 Reply to Counterclaims and Paragraphs 1 through 25 of Finjan Software, Ltd.'s April 5, 2007 Amended Complaint for Patent Infringement and in response to Paragraph 19 of the Causes of Action, Secure Computing restates and incorporates by reference its answers to the Paragraphs 1 through 25 of Finjan Software, Ltd.'s Amended Complaint for Patent Infringement and denies any allegation not expressly admitted.

9. Secure Computing admits that Secure Computing owns the '010 patent and claims that Finjan USA infringes the '010 patent and that there is an actual controversy between Secure Computing and Finjan USA. Secure Computing denies any and all other allegations of paragraph 20 of the Causes of Action.

10. Secure Computing denies the allegations of paragraph 21 of the Causes of Action.
11. Secure Computing denies the allegations of paragraph 22 of the Causes of Action.
12. Secure Computing denies the allegations of paragraph 23 of the Causes of Action.
13. Secure Computing denies the allegations of paragraph 24 of the Causes of Action.
14. Secure Computing denies the allegations of paragraph 25 of the Causes of Action.

AFFIRMATIVE DEFENSES

First Affirmative Defense -- Failure to State Claim

Finjan USA's Causes of Action fail to state a claim upon which relief can be granted.

Second Affirmative Defense - Lack of Standing

To the extent Finjan USA purports to assert infringement claims against Secure Computing, Finjan USA's Causes of Action are barred because Finjan USA lacks standing.

In addition, to the extent Finjan USA's Causes of Action purport to assert patent infringement claims against Secure Computing, Secure Computing incorporates by reference its affirmative defenses in Secure Computing's September 13, 2007 Amended Answer and Counterclaims.

PRAYER FOR RELIEF

WHEREFORE, Secure Computing denies that Finjan Software, Ltd. and Finjan Software, Inc. are entitled to any judgment or relief in their favor, including the relief in paragraphs A through E of the Prayer for Relief in the Amended Complaint for Patent Infringement and including the relief in paragraphs F through K of the Causes of Action, and prays for judgment in Secure Computing's favor as follows:

- A. That Finjan's Causes of Action be dismissed with prejudice,

B. That Secure Computing be awarded its costs, disbursements, and attorneys' fees incurred in connection with Finjan's Causes of Action; and,

C. To the extent Finjan USA purports to assert infringement claims against Secure Computing, Secure Computing incorporates by reference its Prayer for Relief in its September 13, 2007 Amended Answer and Counterclaims.

D. That Secure Computing be awarded such other and further relief as the Court deems just, equitable, and proper.

DEMAND FOR JURY TRIAL

Secure Computing hereby demands a trial by jury on all issues triable by jury.

OF COUNSEL:

Ronald J. Schutz
Jake M. Holdreith
Christopher A. Seidl
Trevor J. Foster
ROBINS, KAPLAN, MILLER &
CIRESI L.L.P.
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402
(612) 349-8500


Fredrick L. Cottrell, III (#2555)
cottrell@rlf.com
Kelly E. Farnan (#4395)
farnan@rlf.com
Richards, Layton & Finger
One Rodney Square, P.O. Box 551
Wilmington, DE 19899
(302) 651-7700
Attorneys For Defendants

Dated: October 11, 2007

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 11, 2007, I electronically filed the foregoing with the Clerk of Court using CM/ECF and caused the same to be served on the defendant at the addresses and in the manner indicated below:

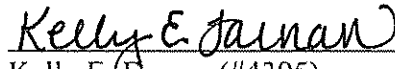
E-MAIL AND HAND DELIVERY

Philip A. Rovner
Potter Anderson & Corroon LLP
1313 N. Market Street,
Hercules Plaza, 6th Floor
Wilmington, DE 19899-0951

I further certify that on October 11, 2007, the foregoing document was sent to the following non-registered participants in the manner indicated:

E-MAIL AND FEDERAL EXPRESS

Paul J. Andre
Radhika Tandon
Perkins Coie LLP
101 Jefferson Drive
Menlo Park, CA 94025-1114


Kelly E. Farnan (#4395)